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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,815	11/29/2001	Akinori Iwakawa	1359.1059	9734
21171	7590	11/15/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER ALVAREZ, RAQUEL	
			ART UNIT 3622	PAPER NUMBER
			MAIL DATE 11/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/995,815

Applicant(s)

IWAKAWA ET AL.

Examiner

Raquel Alvarez

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to communication filed on 9/14/2007.

Claims 1-12 and 19 have been amended. Claim 20 have been cancelled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 5-12 are rejected under 35 U.S.C. 102(b) as being anticipated by article titled, "Recommend-it.com: Spread the Word!!" hereinafter Recommend-it.com.

With respect to claims 1, 3, 5-12 and 20, Recommend-it.com teaches an introduction system for allowing an introduction origin system to introduce an introduction target system to an introduction destination system through an On-line network system (see pages 1-4).

The introduction origin system comprising an introducing part for notifying the introduction destination system for "introducing" information containing user entry information of the introduction target system (i.e. the first user (introduction origin) recommends a second user (introduction target) to the Recommend-it.com site (introduction destination system)(see page 2);

The introduction destination system comprising a registering part for receiving the "introducing" information notified from the introducing part of the introducing origin system and registering user entry information of the introduction target system on a user

list, and an “introduced” information notifying part for detecting registration of the user entry information of the introduction target system on the user list in the registration part and notifying the introduction target system of “introduced” information representing that a registration action based on introduction has been conducted (see e-mail received by the second user)(pages 2 and 4), and

The introduction target system comprises an “introduced” recognizing part for receiving “introduced” information from the “introduced” information notifying part of the introduction destination system and recognizing a registration action to the user list in the introduction destination system (pages 2 and 4);

With respect to claims 3, 5, Recommend-it.com further teaches confirming part for comparing contents recognized by the “introduced” recognizing part, and confirming an introduction relationship between the introduction origin system and the introduction destination system (i.e. the e-mail received by the second user confirms that the first user has a relationship or is customer of Recommend-it.com)(page 4).

With respect to claims 6-12, Recommend-it.com further teaches providing an incentive for providing service with respect to the introduction destination system if there is a relationship between the introduction origin system and the introduction destination system (i.e. the first user receives a design/promotion newsletter delivered to his or her Email account for introducing the second user)(see page 4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4, 14-17 and 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Recommend-it.com in view of Official Notice.

Claims 2 further recite a buddy list system and obtaining system state information through the buddy list system. Official Notice is taken that it is old and well known for obtaining names and contact information from buddy list for marketing purposes and for obtaining system state information before sending information through a network in order to determine if the system is capable of receiving the information being transmitted. It would have been obvious for a person of ordinary skill in the art at the time of Applicant's invention to have included a buddy list system and obtaining system state information through a buddy list system in order to obtain the above mentioned advantages.

With respect to claim 4, Recommend-it.com further teaches confirming part for comparing contents recognized by the "introduced" recognizing part, and confirming an introduction relationship between the introduction origin system and the introduction destination system (i.e. the e-mail received by the second user confirms that the first user has a relationship or is customer of Recommend-it.com)(page 4).

Claims 13-17 further recite that in case where the entry information is deleted the information between the introduction origin system and the target system is cancelled. Official Notice is taken that it is old and well known that if a user deletes or cancels registration with a business or company, the users involved in the recommendation or registration with the company will be cancelled in order for the business or company to concentrate their effort on other potential prospects. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included in case where the entry information is deleted the information between the introduction origin system and the target system is cancelled in order to achieve the above mentioned advantage.

With respect to claim 19, in addition to the limitations previously addressed in the rejection of claim 1 above, the claim further recites a buddy list system and obtaining system state information through a network. Official Notice is taken that it is old and well known for obtaining names and contact information from buddy list for marketing purposes. It would have been obvious for a person of ordinary skill in the art at the time of Applicant's invention to have included a buddy list system in order to obtain the above mentioned advantages.

Response to Arguments

6. The 112, 2nd rejection has been withdrawn.

7. Applicant argues that Recommend-it.com doesn't teach the second user recognizing that they have been registered in a user list on Recommend-it.com. The Examiner disagrees with Applicant because the e-mail received by the second user states that "Eileen Velet" has given their e-mail address to Recommend-it.com, it is clear that "Eileen Velet" has registered or enrolled the second user in order to receive information.

8. Applicant argues that Recommen-it.com doesn't teach user entry information to the introduction target system and detecting registration of the user entry. The Examiner disagrees with Applicant because Recommend-it.com teaches entering the second user's information such as his or her e-mail address and the system detecting or receiving the second user's information.

9. With respect to obtaining names and contact for marketing purposes. The Examiner wants to point out to the following example to support the Official Notice taken. Time Shares companies or the like solicit names and phones number of friends or family in order to contact them with the product or service that they offer.

10. With respect to the Official Notice taken that it is old and well known to obtain system state information from a receiver. As support for the Official Notice taken, the Examiner is citing Patent no. 5,084,877 issued to N. Netravali and K. Sabnami which teaches the system periodically receiving data describing the receiver's state.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Point of contact

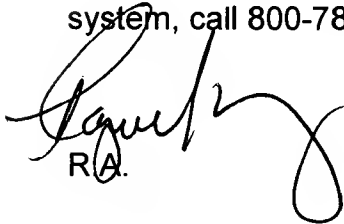
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (571)272-6715. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric w. Stamber can be reached on (571)272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
09/995,815
Art Unit: 3622

Page 8

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



RA.

11/6/2007